

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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CASEY CUNNINGHAM, CHARLES E.  
LANCE, STANLEY T. MARCUS, LYDIA  
PETTIS, and JOY VERONNEAU,

Plaintiffs

16-cv-6525 (PKC)

-against-

MEMORANDUM  
AND ORDER

CORNELL UNIVERSITY, et al.,

Defendants.

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CASTEL, District Judge:

This is an ERISA action filed by Casey Cunningham, Charles E. Lance, Stanley T. Marcus, Lydia Pettis and Joy Veronneau against Cornell University, its Plan Oversight Committee and the present Chair of that Committee. In a Memorandum and Order filed September 27, 2017, the Court dismissed several of the claims allowing certain claims to proceed. Now plaintiffs seek to amend their complaint to add 29 individuals who have served on the Oversight Committee during the period covered by the Amended Complaint.

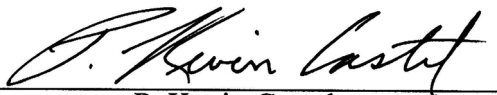
Plaintiffs shall address why they need to name 29 additional individuals as defendants other than (a) they think they can; and (b) the assertion of multi-million dollar claims against these individuals who served on a committee at their employer's request has the tremendous power to harass these individuals because they will be required to list the lawsuit on every auto, mortgage or student financial aid application they file. Is there any meaningful relief that could not be obtained without naming these individuals?

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Before filing the motion to amend, plaintiffs' counsel, Jerome J. Schlichter and Stephen M. Hoeplinger, are directed to show this Order to their clients, who are the real parties in interest with the power to direct and control the actions of their lawyers, and meet and discuss with their clients the wisdom and propriety of this proposed strategy.

Letter motion 117 is GRANTED to the extent that plaintiffs may file their motion to amend on the schedule proposed in the January 18 letter (Doc. 121), annexing clean and marked-to-show-changes copies of the proposed amended pleading.

SO ORDERED.

  
P. Kevin Castel  
United States District Judge

Dated: New York, New York  
January 19, 2018